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FEB 05 2008HON. HAROLD BAER
U.S. DISTRICT JUDGE
S.D.N.Y.

February 5, 2008

VI FAXSIMILE [(212) 805-7901]

Hon. Harold Baer, Jr.
 United States District Court,
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

Re: Kienzle v. A.A. Truck Renting Corp., et. Al.
 Docket No.: 07CV10619

Dear Judge Baer:

This office represents the plaintiff in the above referenced matter. Pursuant to your chamber's instructions, please allow this letter to serve as plaintiff's request to adjourn the Pre-Trial Conference scheduled for February 7, 2008. The need to adjourn the scheduled conference arises from the fact that the necessary parties to the action have not yet appeared. The only defendant to appear in the action is Deddy Halim who has alleged the affirmative defense of lack of personal jurisdiction as he did not waive service. In fact, no party has agreed to waive service. In addition, plaintiff recently amended his pleading by adding a defendant as reflected in the amended complaint filed with the Court on January 29, 2008. The requisite Summons and Complaints are with the process server for service. Thus, it is suggested that the Pre-Trial Conference would be more productive once all parties have been served and either defaulted or appeared. Plaintiff therefore requests that the Pre-Trial Conference be adjourned for forty-five days.

I have spoken with Peter M. Khrinenko, Esq. of Brand, Glick & Brand, Esqs., attorneys for Deddy Halim. He consented to the adjournment of the scheduled conference.

Should you require any further information, please do not hesitate to contact the undersigned. Thank you for your attention in this matter.

Respectfully submitted,
 DAVID HOROWITZ, P.C.

Steven J. Horowitz (SH 1352)

*adjourned to
March 20, 2008 at 10:00 AM
ORDERED:*

Harold Baer, Jr., U.S.D.J.

2/5/08

CC:

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